REMARKS

The Office Action dated January 23, 2007, has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto.

By this Amendment, claims 1, 3 and 5 have been amended. No new matter has been added. Support for the amendments to claims 1, 3 and 5 can be found on at least page 16, line 17 to page 17, line 9 of the Specification as originally filed. Claims 1-6 are pending and respectfully submitted for consideration.

Rejection Under 35 U.S.C. § 102

Claims 1-6 were rejected under 35 U.S.C. § 102(b) as being anticipated by Newell (U.S. Patent No. 5,651,064). Claim 2 depends from claim 1, claim 4 depends from claim 3, and claim 6 depends from claim 5. The Applicants traverse the rejection and respectfully submit that claims 1-6 recite subject matter that is neither disclosed nor suggested by Newell.

Newell discloses a system for preventing unauthorized copying of recorded information. Newell's system has a number of independently identifiable storage media holding the information in encrypted form and a number of drives for driving the storage media, the drives each having a key which decrypts the information on at least one of the storage media. The drives are in communication with a host computer which compares the identities of the storage media with each other and with an authorized list of identities. Should an identity be unauthorized, indicating unauthorized copying, the host computer sends a message to the corresponding drive that disables either that drive or the storage medium having that identity. See the Abstract of Newell.

The Applicants respectfully submit that Newell fails to disclose or suggest the features of the invention as recited in claims 1, 3 and 5.

Claim 1 recites, in part, the method for recording/reading information data comprising the steps of encrypting the first encrypted information data in accordance with an identification data of the second recording medium, wherein the identification data of the second recording medium is different from the identification data of the first recording medium, so as to produce second encrypted information data, and recording the second encrypted information data in the second recording medium. The second encrypted information data recorded in the second recording medium is different from the first encrypted information data recorded in the first recording medium.

Claim 3 recites, in part, a system for recording/reading information data comprising encrypting means for encrypting the first encrypted information data in accordance with an identification data of the second recording medium, wherein the identification data of the second recording medium is different from the identification data of the first recording medium, so as to produce second encrypted information data wherein the first encrypted information data is recorded as the second encrypted information data in the second recording medium without being decoded. The second encrypted information data recorded in the second recording medium is different from the first encrypted information data recorded in the first recording medium.

Claim 5 recites, in part, a system for recording/reading information data wherein recorded in the second recording means is second encrypted information data formed by encrypting the first encrypted information data in accordance with identification data of the second recording medium, wherein the identification data of the second recording

medium is different from the identification data of the first recording medium. The first encrypted information data is formed through encryption in accordance with identification data of the first recording medium. The decoded first encrypted information data is recorded in the first recording medium without being further decoded. The second encrypted information data recorded in the second recording medium is different from the first encrypted information data recorded in the first recording medium.

The Office Action asserted that column 4, lines 40–47 of Newell discloses encrypting the first encrypted information data in accordance with an identification data of the second recording medium, so as to produce second encrypted information data. See page 6, lines 5-7 of the Office Action.

In contrast, Newell merely prevents unlawful copying of recorded information. Newell discloses that the host computer 28 may be programmed to allow for a single duplicate identity ID_y without disabling corresponding storage media SM_y or drives DR_y, so that archival copying or home copying is not prevented. ID_y can be the key for encrypting. Consequently, this is only a teaching of encrypting first information data with the identification data of the first recording medium twice. There is no disclosure or suggestion in column 4, lines 40–47 of Newell that second encrypted information data is produced based on first encrypted information data and identification data of the second recording medium, wherein the identification data of the second recording medium is different from the identification data of the first recording medium. Thus, Newell does not disclose or suggest encrypting the first encrypted information data in accordance

with an identification data of the second recording medium, so as to produce second encrypted information data, as recited in claims 1, 3 and 5.

Claims 1, 3 and 5, as amended, further recite that the second encrypted information data recorded in the second recording medium is different from the first encrypted information data recorded in the first recording medium. In contrast, as discussed above, Newell discloses that the host computer may be programmed to allow for a single duplicate identity ID_y without disabling corresponding storage media SM_y or drives DR_y, so that archival copying or home copying is not prevented. There is no disclosure or suggestion of different first and second encrypted information data. As such, Newell fails to disclose or suggest the features of the invention as recited in amended claims 1, 3 and 5.

According to U.S. patent practice, a reference must teach every element of a claim in order to properly anticipate the claim under 35 U.S.C. §102. In addition, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628,631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "Every element of the claimed invention must be arranged as in the claim ... [t]he identical invention must be shown in as complete detail as is contained in the patent claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236 (Fed. Cir. 1989) (emphasis added). The Applicants respectfully submit that Newell does not disclose or suggest the features of the invention as recited in claims 1, 3 and 5, as arranged in the claims. Accordingly, Newell does not anticipate claims 1, 3 and 5, nor are claims 1, 3

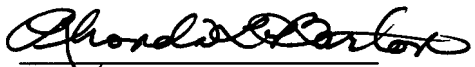
and 5 obvious in view of Newell. As such, the Applicant submits that claims 1, 3 and 5 are allowable over the cited art.

Conclusion

The Applicants respectfully submit that this Application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the Applicants' undersigned representative at the telephone number listed below to schedule a personal or telephone interview to discuss any remaining issues.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing Attorney Dkt. No. 107156-00031**.

Respectfully submitted,



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